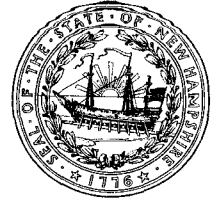




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-001**

January 4, 2006

Donald R Roberge
PO Box 5
Milan, NH 03588

RE: DES Wetlands File #2004-02924 Route 16, Dummer

Dear Mr: Roberge

On June 20, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Dummer Tax Map R13 as Lot 3 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiency was documented:

1. Approximately 600 square feet of wetland had been dredged without a permit from DES.

In response, you are requested to take the following actions:

1. By January 31, 2006, retain a certified wetland scientist to develop a restoration plan to restore the dredged wetland. Submit the name and address of the certified wetland scientist to DES in writing by January 31, 2006;
2. By May 30, 2006, submit a restoration plan prepared by the certified wetland scientist. The restoration plan shall contain the following:
 - a. A plan, with dimensions, drawn to scale, showing:
 - i. Existing conditions; and
 - ii. Proposed conditions after restoration of the dredged wetland;
 - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, *etc.*) and stabilization of the restoration area;
 - c. A proposed planting plan for the stabilization and re-vegetation of the dredged area including control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);
 - d. A description of the proposed construction sequence and methods for accomplishing the restoration; and

e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum one monitoring progress report following the completion of the project.

2. Implement the restoration plan only after receiving written approval from DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

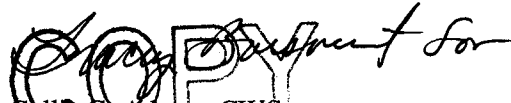
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,


Colin G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0001 2419 2929

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Dummer Conservation Commission
Dummer Board of Selectmen
USACOE